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Attorneys for Plaintiff/Counterdefendant Desert Palace, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DESERT PALACE, INC., d/b/a CAESARS
PALACE, a Nevada corporation,

Plaintiff,

v.

ANDREW P. MICHAEL, an individual; DOES 1
through 10, inclusive; ROE CORPORATIONS 1
through 10, inclusive,

Defendants.

ANDREW P. MICHAEL, an individual,

Counterclaimant,

v.

DESERT PALACE, INC., d/b/a CAESARS
PALACE, a Nevada corporation; ROE
CORPORATIONS 1 through 10, inclusive,

Counterdefendant.

Case No.: 2:16-cv-0462-JAD-GFW

(From District Court, Clark County, Nevada,
Case No. A-15-720492-C)

**STIPULATED AND PROPOSED ORDER
TO EXTEND TIME TO FILE BILL OF
COSTS AND MOTION FOR
ATTORNEY'S FEES
(First Request)**

ECF No. 79

IT IS HEREBY STIPULATED and agreed by and between Plaintiff/Counterdefendant
DESERT PALACE, INC. ("Plaintiff") and Defendant/Counter-claimant ANDREW P.

MICHAEL (“Defendant”) (together, the “Parties”), by and through their respective undersigned counsel, as follows:

WHEREAS, on June 22, 2017, the Court entered its Order on Motions for Summary Judgment and Plaintiff’s Objections to Magistrate Judge’s Order (the “Summary Judgment Order”) [ECF No. 77];

WHEREAS, the Summary Judgment Order did not resolve all of the claims and counterclaims pending in the case;

WHEREAS, the Court has scheduled a mandatory settlement conference on August 30, 2017 to resolve any remaining claims and issues;

WHEREAS, the Parties agree that the deadline under LR 54-14 for the filing of a motion for attorney’s fees was not triggered by the Summary Judgment Order because it did not dispose of all of the claims and counterclaims pending in this matter;

WHEREAS, a question exists as to whether the deadline under LR 54-1 for filing a bill of costs was potentially triggered by the Summary Judgment Order;

WHEREAS, the Parties agree that interests of judicial economy are best served by extending the deadline for filing a bill of costs and a motion for attorney’s fees until after all of the claims and counterclaims pending in this matter have been finally resolved;

IT IS HEREBY STIPULATED AND AGREED by and between the Parties that the deadlines under LR 54-1 and LR 54-14 for filing a bill of costs and any motion for attorney’s fees are hereby extended (to the extent that either deadline was triggered by the Summary Judgment Order) to 14 days after the entry of the final judgment or other order disposing of this matter in its entirety including all claims and counterclaims;

IT IS HEREBY FURTHER STIPULATED AND AGREED that by entering into this Stipulation and Order neither Party is conceding that the deadlines under LR 54-1 or LR 54-14 were, or were not, triggered by the Summary Judgment Order. Rather, the Parties enter into this Stipulation and Order solely out of an abundance of caution and to avoid motion practice regarding a potentially premature bill of costs and/or motion for attorney’s fees. This Stipulation and Order shall not prevent the Parties from filing a bill of costs and/or a motion for attorney’s

fees at any time prior to the deadline set forth herein. Nothing in this Stipulation and Order shall be construed as a waiver of any rights or an admission of any matter. The Parties expressly reserve all rights, claims, and defenses in this action.

Date: July 5, 2017

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/s/Oliver J. Pancheri

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Date: July 5, 2017

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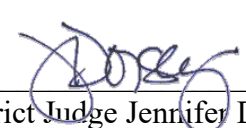
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IT IS SO ORDERED:



U.S. District Judge Jennifer Dorsey
July 6, 2017